

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 1

SECTION 1. INVESTIGATIVE AUTHORITY AND RESPONSIBILITY

1-1 AUTHORITY OF A SPECIAL AGENT

(1) Investigate violations of the laws, including the criminal drug laws, of the United States (Title 21, USC, Section 871; Title 28, USC, Sections 533, 534, and 535; Title 28, CFR, Section 0.85).

(2) Collect evidence in cases in which the United States is or may be a party in interest (28, CFR, Section 0.85 (a) as redelegated through exercise of the authority contained in 28, CFR, Section 0.137 to direct personnel in the FBI).

(3) Make arrests (Title 18, USC, Section 3052).

(4) Serve warrants and subpoenas and civil investigative demands (Title 18, USC, Section 3052; Title 15, USC, Section 1312; and Title 21, USC, Section 876).

(5) Carry firearms (Title 18, USC, Section 3052) when engaged upon official matters and for self-defense.

(6) Administer oaths to witnesses attending to testify or depose in the course of investigations of frauds on or attempts to defraud the United States or irregularities or misconduct of employees or agents of the United States (Title 5, USC, Section 303).

(7) Seize property subject to seizure under the criminal drug laws of the United States (Title 21, USC, Section 881; Title 21, CFR, Section 1316.72).

(8) Perform other duties imposed by law.

EFFECTIVE: 10/10/83

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 2

1-2 INVESTIGATIVE RESPONSIBILITY

(1) The FBI is charged with the duty of investigating violations of the laws of the United States and collecting evidence in cases in which the United States is or may be a party in interest, except in cases in which such responsibility is by statute or otherwise specifically assigned to another investigative agency. (Title 28, CFR, Section 0.85 (a))

(2) In addition to the FBI discharging those responsibilities with which it is charged by statutes, the FBI expeditiously carries out directives of the President and the Attorney General.

(3) Our investigative jurisdiction in criminal cases is based on specific violations of Federal laws. Investigations are conducted when information is received indicating a violation of Federal law, over which we have been given investigative jurisdiction, has or may have occurred. The function of a Special Agent of the FBI is to conduct thorough investigations of cases in a legal and ethical manner and to carry each of those cases through to a logical conclusion. Results of investigations are furnished to United States Attorneys and/or the Department of Justice.

(4) Requests for FBI investigations in selected civil matters in which the United States is or may be a party in interest may be received from the United States Attorneys and/or the Department of Justice. These are handled in strict conformity with guidelines furnished by the Department of Justice, as are also investigations of violations of the civil rights, antiriot, election laws, and antitrust laws.

(5) Under no circumstances may a Special Agent of the FBI acting within the scope of his/her employment seek to obtain the commitment of any individual for psychiatric evaluation or otherwise become involved in commitment proceedings. Special Agents subpoenaed to give testimony at commitment proceedings must first comply with the provisions of Part II, Section 6 of this manual. Questions should be referred to Office of the General Counsel, FBIHQ.

EFFECTIVE: 09/09/94

Sensitive
PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 3

1-3 THE ATTORNEY GENERAL'S GUIDELINES ON GENERAL CRIMES,
RACKETEERING ENTERPRISE AND DOMESTIC SECURITY/TERRORISM
INVESTIGATIONS | (See MIOG, Part I, Section 92, 100-1.1,
137-13, and 266-1.) |

"As the primary criminal investigative agency in the federal government, the FBI has the authority and responsibility to investigate all criminal violations of federal law not exclusively assigned to another federal agency. The FBI thus plays a central role in national law enforcement and in the proper administration of justice in the United States.

"Investigations by the FBI are premised upon the important duty of government to protect the public against general crimes, against organized criminal activity and against those who would engage in political or racial terrorism or would destroy our constitutional system through criminal violence. At the same time, that duty must be performed with care to protect individual rights and to insure that investigations are confined to matters of legitimate law enforcement interest. The purpose of these Guidelines, therefore, is to establish a consistent policy in such matters. The Guidelines should encourage Agents of the FBI to perform their duties with greater certainty, confidence and effectiveness. They should also give the public a firm assurance that the FBI is acting properly under the law.

"These Guidelines provide guidance for all investigations by the FBI of crimes and crime-related activities. Investigations involving foreign intelligence, foreign counterintelligence and international terrorism matters are the subject of separate guidelines. The standards and requirements set forth herein govern the circumstances under which an investigation may be begun, and the permissible scope, duration, subject-matters, and objectives of an investigation.

"All investigations of crime or crime-related activities shall be undertaken in accordance with one or more of these Guidelines. Part I sets forth general principles that apply to all investigations conducted under these Guidelines. Part II governs investigations undertaken to detect, prevent and prosecute specific violations of federal law. Part III A governs criminal intelligence investigations undertaken to obtain information concerning enterprises which are engaged in racketeering activities involving violence, extortion, narcotics or public corruption. Part III B governs criminal intelligence investigations undertaken to obtain information concerning enterprises which seek to achieve political or social change through violence.

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 4

"These Guidelines are issued under the authority of the Attorney General, as provided in 28, U.S.C., 509, 510, and 533.

"CONTENTS

- "I. General Principles
- "II. General Crimes Investigations
 - "A. Definitions
 - B. Preliminary Inquiries
 - C. Investigations
- "III. Criminal Intelligence Investigations
 - "A. Racketeering Enterprise Investigations
 - "1. Definitions
 - 2. General Authority
 - 3. Purpose
 - 4. Scope
 - 5. Authorization and Renewal
 - "B. Domestic Security/Terrorism Investigations
 - "1. General authority
 - 2. Purpose
 - 3. Scope
 - 4. Authorization and Renewal
- "IV. Investigative Techniques
- "V. Dissemination of Information
- "VI. Cooperation with Secret Service
- "VII. Reservation

"I. General Principles | (See MIOG, Part I, 100-1.2.3.) |

"Preliminary inquiries and investigations governed by these Guidelines are conducted for the purpose of preventing, detecting, or prosecuting violations of federal law. They shall be conducted with as little intrusion into the privacy of individuals as the needs of the situation permit.

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 5

"All preliminary inquiries shall be conducted pursuant to the General Crimes Guidelines. There is no separate provision for a preliminary inquiry under the Criminal Intelligence Guidelines. A preliminary inquiry shall be promptly terminated when it becomes apparent that a full investigation is not warranted. If, on the basis of information discovered in the course of a preliminary inquiry, an investigation is warranted, it may be conducted as a general crimes investigation, or a criminal intelligence investigation, or both. All such investigations, however, shall be based on a reasonable factual predicate and shall have a valid law enforcement purpose.

"In its efforts to anticipate or prevent crime, the FBI must at times initiate investigations in advance of criminal conduct. It is important that such investigations not be based solely on activities protected by the First Amendment or on the lawful exercise of any other rights secured by the Constitution or laws of the United States. When, however, statements advocate criminal activity or indicate an apparent intent to engage in crime, particularly crimes of violence, an investigation under these Guidelines may be warranted unless it is apparent, from the circumstances or the context in which the statements are made, that there is no prospect of harm.

"General crimes investigations and criminal intelligence investigations shall be terminated when all logical leads have been exhausted and no legitimate law enforcement interest justifies their continuance.

"Nothing in these Guidelines is intended to prohibit the FBI from collecting and maintaining publicly available information consistent with the Privacy Act.

"Nothing in these Guidelines prohibits the FBI from ascertaining the general scope and nature of criminal activity in a particular location or sector of the economy.

"II. General Crimes Investigations

"A. Definitions

"(1) 'Exigent circumstances' are circumstances requiring action before authorization otherwise necessary under these guidelines can reasonably be obtained, in order to protect life or substantial property interests; to apprehend or identify a fleeing offender; to prevent the hiding, destruction or alteration of evidence; or to avoid other serious impairment or hindrance of an

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 6

investigation.

"(2) 'Sensitive criminal matter' is any alleged criminal conduct involving corrupt action by a public official or political candidate, the activities of a foreign government, the activities of a religious organization or a primarily political organization or the related activities of any individual prominent in such an organization, or the activities of the news media; and any other matter which in the judgment of a Special Agent in Charge (SAC) should be brought to the attention of the United State Attorney or other appropriate official in the Department of Justice, as well as FBI Headquarters (FBIHQ).

"B. Preliminary Inquiries

"(1) On some occasions the FBI may receive information or an allegation not warranting a full investigation -- because there is not yet a 'reasonable indication' of criminal activities -- but whose responsible handling requires some further scrutiny beyond the prompt and extremely limited checking out of initial leads. In such circumstances, though the factual predicate for an investigation has not been met, the FBI may initiate an 'inquiry' involving some measured review, contact, or observation activities in response to the allegation or information indicating the possibility of criminal activity.

"This authority to conduct inquiries short of a full investigation allows the government to respond in a measured way to ambiguous or incomplete information and to do so with as little intrusion as the needs of the situation permit. This is especially important in such areas as white-collar crime where no complainant is involved or when an allegation or information is received from a source of unknown reliability. It is contemplated that such inquiries would be of short duration and be confined solely to obtaining the information necessary to make an informed judgment as to whether a full investigation is warranted.

"A preliminary inquiry is not a required step when facts or circumstances reasonably indicating criminal activity are already available; in such cases, a full investigation can be immediately opened.

"(2) The FBI supervisor authorizing an inquiry shall assure that the allegation or other information which warranted the inquiry has been recorded in writing. In sensitive criminal matters the United States Attorney or an appropriate Department of Justice

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 7

official shall be notified of the basis for an inquiry as soon as practicable after the opening of the inquiry, and the fact of notification shall be recorded in writing.

"(3) Inquiries shall be completed within 90 days after initiation of the first investigative step. The date of the first investigative step is not necessarily the same date on which the first incoming information or allegation was received. An extension of time in an inquiry for succeeding 30-day periods may be granted by FBI Headquarters upon receipt of a written request and statement of reasons why further investigative steps are warranted when there is no 'reasonable indication' of criminal activity.

"(4) Before employing an investigative technique in an inquiry, the FBI should consider whether the information could be obtained in a timely and effective way by less intrusive means. Some of the factors to be considered in judging intrusiveness are adverse consequences to an individual's privacy interests and avoidable damage to his reputation. Whether an intrusive technique should be used in an inquiry depends on the seriousness of the possible crime and the strength of the information indicating the possible existence of the crime. However, the techniques used in an inquiry should generally be less intrusive than those employed in a full investigation. It is recognized that choice of technique is a matter of judgment.

"(5) The following investigative techniques shall not be used during an inquiry:

"(a) Mail covers;

"(b) Mail openings;

"(c) Nonconsensual electronic surveillance or any other investigative technique covered by Title 18, U.S.C., 2510-2521.

"(6) The following investigative techniques may be used in an inquiry without any prior authorization from a supervisory agent:

"(a) Examination of FBI indices and files;

"(b) Examination of records available to the public and other public sources of information;

"(c) Examination of available federal, state and local government records;

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 8

"(d) Interview of the complainant, previously established informants, and confidential sources;

"(e) Interview of the potential subject;

"(f) Interview of persons who should readily be able to corroborate or deny the truth of the allegation, except this does not include pretext interviews or interviews of a potential subject's employer or co-workers unless the interviewee was the complainant;

"(g) Physical or photographic surveillance of any person.

"The use of any other lawful investigative technique that is permitted in an inquiry shall meet the requirements and limitations of Part IV and, except in exigent circumstances, require prior approval by a supervisory agent. Where a technique is highly intrusive, a supervisory agent shall approve its use in the inquiry stage only in compelling circumstances and when other investigative means are not likely to be successful.

"(7) Where a preliminary inquiry fails to disclose sufficient information to justify an investigation, the FBI shall terminate the inquiry and make a record of the closing. In a sensitive criminal matter, the FBI shall notify the United States Attorney of the closing and record the fact of notification in writing. Information on an inquiry which has been closed shall be available on request to a United States Attorney or his designee or an appropriate Department of Justice official.

"(8) All requirements regarding inquiries shall apply to reopened inquiries. In sensitive criminal matters, the United States Attorney or the appropriate Department of Justice official shall be notified as soon as practicable after the reopening of an inquiry.

"C. Investigations

"(1) A general crimes investigation may be initiated by the FBI when facts or circumstances reasonably indicate that a federal crime has been, is being, or will be committed. The investigation may be conducted to prevent, solve and prosecute such criminal activity.

"The standard of 'reasonable indication' is

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 9

substantially lower than probable cause. In determining whether there is reasonable indication of a federal criminal violation, a Special Agent may take into account any facts or circumstances that a prudent investigator would consider. However, the standard does require specific facts or circumstances indicating a past, current or impending violation. There must be an objective, factual basis for initiating the investigation; a mere hunch is insufficient.

"(2) Where a criminal act may be committed in the future, preparation for that act can, of course, amount to a current criminal violation under the conspiracy or attempt provisions of federal criminal law, if there are present the requisite agreement and overt act, or substantial step toward completion of the criminal act and intention to complete the act. With respect to criminal activity that may occur in the future but does not yet involve a current criminal conspiracy or attempt, particular care is necessary to assure that there exist facts and circumstances amounting to a reasonable indication that a crime will occur.

"(3) The FBI supervisor authorizing an investigation shall assure that the facts or circumstances meeting the standard of reasonable indication have been recorded in writing.

"In sensitive criminal matters, as defined in paragraph A(2), the United States Attorney or an appropriate Department of Justice official and FBIHQ shall be notified in writing of the basis for an investigation as soon as practicable after commencement of the investigation.

"(4) The Special Agent conducting an investigation shall maintain periodic written or oral contact with the appropriate federal prosecutor, as circumstances require and as requested by the prosecutor.

"When, during an investigation, a matter appears to arguably warrant prosecution, the Special Agent shall present the relevant facts to the appropriate federal prosecutor. In every sensitive criminal matter, the FBI shall notify the appropriate federal prosecutor of the termination of an investigation within 30 days of such termination. Information on investigations which have been closed shall be available on request to a United States Attorney or his designee or an appropriate Department of Justice official.

"(5) When a serious matter investigated by the FBI is referred to state or local authorities for prosecution, the FBI, insofar as resources permit, shall promptly advise the federal

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 10

prosecutor in writing if the state or local authorities decline prosecution or fail to commence prosecutive action within 120 days. Where an FBI field office cannot provide this follow-up, the SAC shall so advise the federal prosecutor.

"(6) When credible information is received concerning serious criminal activity not within the FBI investigative jurisdiction, the FBI field office shall promptly transmit the information or refer the complainant to the law enforcement agencies having jurisdiction, except where disclosure would jeopardize an ongoing investigation, endanger the safety of an individual, disclose the identity of an informant, interfere with an informant's cooperation, or reveal legally privileged information. If full disclosure is not made for the reasons indicated, then whenever feasible the FBI field office shall make at least limited disclosure to the law enforcement agency having jurisdiction, and full disclosure shall be made as soon as the need for restricting dissemination is no longer present. Where full disclosure is not made to the appropriate law enforcement agencies within 180 days, the FBI field office shall promptly notify FBI Headquarters in writing of the facts and circumstances concerning the criminal activity. The FBI shall make a periodic report to the Deputy Attorney General on such nondisclosure and incomplete disclosures, in a form suitable to protect the identity of informants and confidential sources.

"Whenever information is received concerning unauthorized criminal activity by an informant or confidential source, it shall be handled in accord with paragraph G of the Attorney General's Guidelines on Use of Informants and Confidential Sources.

"(7) All requirements regarding investigations shall apply to reopened investigations. In sensitive criminal matters, the United States Attorney or the appropriate Department of Justice official shall be notified in writing as soon as practicable after the reopening of an investigation.

"III. Criminal Intelligence Investigations

"This section authorizes the FBI to conduct criminal intelligence investigations of certain enterprises who seek either to obtain monetary or commercial gains or profits through racketeering activities or to further political or social goals through activities that involve criminal violence. These investigations differ from general crimes investigations, authorized by Section II, in several important respects. As a general rule, an investigation of a completed criminal act is normally confined to determining who

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 11

committed that act and with securing evidence to establish the elements of the particular offense. It is, in this respect, self-defining. An intelligence investigation of an ongoing criminal enterprise must determine the size and composition of the group involved, its geographic dimensions, its past acts and intended criminal goals, and its capacity for harm. While a standard criminal investigation terminates with the decision to prosecute or not to prosecute, the investigation of a criminal enterprise does not necessarily end, even though one or more of the participants may have been prosecuted.

"In addition, the organization provides a life and continuity of operation that are not normally found in a regular criminal activity. As a consequence, these investigations may continue for several years. Furthermore, as Justice Powell noted, the focus of such investigations 'May be less precise than that directed against more conventional types of crime.' United States v. United States District Court, 407 U.S. 297, 322 (1972). Unlike the usual criminal case, there may be no completed offense to provide a framework for the investigation. It often requires the fitting together of bits and pieces of information many meaningless by themselves to determine whether a pattern of criminal activity exists. For this reason, the investigation is broader and less discriminate than usual, involving 'the interrelation of various sources and types of information.' Id.

"Members of groups or organizations acting in concert to violate the law present a grave threat to society. An investigation of organizational activity, however, may present special problems, particularly where it deals with politically motivated acts. 'There is often a convergence of First and Fourth Amendment values,' in such matters that is 'not found in cases of 'ordinary' crime.' Id. Thus, special care must be exercised in sorting out protected activities from those which may lead to violence or serious disruption of society. As a consequence, the guidelines establish safeguards for group investigations of special sensitivity, including tighter management controls and higher levels of review.

"A. Racketeering Enterprise Investigations | (See MIOG,
Part I, 92-8, 194-3.7.) |

"This section focuses on investigations of organized crime. It is concerned with investigation of entire enterprises, rather than individual participants in specific criminal acts, and authorizes investigations to determine the structure and scope of the enterprise, as well as the relationship of the members. Except as

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 12

specified below, this authority may be exercised only when the activity engaged in by the racketeering enterprise involves violence, extortion, narcotics, or systematic public corruption.

"1. Definitions

Racketeering activity is any offense, including the violation of state law, encompassed by the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. Section 1961(1).

"2. General Authority

"a. The FBI has authority to conduct investigations of racketeering enterprises whose activities involve violence, extortion, narcotics, or systematic public corruption. A racketeering enterprise not engaged in such activities may be investigated under this authority only upon a written determination by the Director, concurred in by the Attorney General, that such investigation is justified by exceptional circumstances.

"b. A racketeering enterprise investigation may be initiated when facts or circumstances reasonably indicate that two or more persons are engaged in a continuing course of conduct for the purpose of obtaining monetary or commercial gains or profits wholly or in part through racketeering activity. The standard of 'reasonable indication' is identical to that governing the initiation of a general crimes investigation under Part II.

"c. Authority to conduct racketeering enterprise investigations is separate from and in addition to general crimes investigative authority under Part II and domestic security/terrorism investigations under Part III. Information warranting initiation of a racketeering enterprise investigation may be obtained during the course of a general crimes inquiry or investigation. Conversely, a racketeering enterprise investigation may yield information warranting a general crimes inquiry or investigation or a domestic security/terrorism investigation.

"3. Purpose

The immediate purpose of a racketeering enterprise investigation is to obtain information concerning the nature and structure of the enterprise, as specifically delineated in paragraph II D below, with a view to the longer range objective of detection, prevention, and prosecution of the criminal activities of the enterprise." (NOTE: IID reference is error; see instead 4.

Sensitive

PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 13

Scope, below.)

"4. Scope

"a. A racketeering enterprise investigation properly initiated under these guidelines may collect such information as:

"(i) The members of the enterprise and other persons likely to be knowingly acting in the furtherance of racketeering activity, provided that the information concerns such persons' activities on behalf of or in furtherance of the enterprise;

"(ii) the finances of the enterprise;

"(iii) the geographical dimensions of the enterprise; and

"(iv) the past and future activities and goals of the enterprise.

"b. In obtaining the foregoing information, any lawful investigative technique may be used, in accordance with the requirements of Part IV.

"5. Authorization and Renewal

"a. A racketeering enterprise investigation may be authorized by the Director or designated Assistant Director upon a written recommendation setting forth the facts and circumstances reasonably indicating the existence of a racketeering enterprise whose activities involve violence, extortion, narcotics, or systematic public corruption. In such cases, the FBI shall notify the Attorney General or his designee of the opening of the investigation. An investigation of a racketeering enterprise not involved in these activities may be authorized only by the Director upon his written determination, concurred in by the Attorney General, that such investigation is warranted by exceptional circumstances. In all investigations, the Attorney General may, as he deems necessary, request the FBI to provide a report on the status of the investigation.

"b. A racketeering enterprise investigation may be initially authorized for a period of up to 180 days. An investigation may be continued upon renewed authorization for additional periods each not to exceed 180 days. Renewal authorization

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 14

shall be obtained from the Director or designated Assistant Director. The concurrence of the Attorney General must also be obtained if his concurrence was initially required to authorize the investigation.

"c. Investigations shall be reviewed by the Director or designated senior Headquarters official on or before the expiration of the period for which the investigation and each renewal thereof is authorized.

"d. An investigation which has been terminated may be reopened upon a showing of the same standard and pursuant to the same procedures as required for initiation of an investigation.

"B. Domestic Security/Terrorism Investigations | (See
MIOG, Part I, 100-1.2.) |

"This section focuses on investigations of enterprises, other than those involved in international terrorism, whose goals are to achieve political or social change through activities that involve force or violence. Like racketeering enterprise investigations, it is concerned with the investigation of entire enterprises, rather than individual participants and specific criminal acts, and authorizes investigations to determine the structure and scope of the enterprise as well as the relationship of the members.

"1. General Authority | (See MIOG, Part I,
100-1.2.2.) |

"a. A domestic security/terrorism investigation may be initiated when the facts or circumstances reasonably indicate that two or more persons are engaged in an enterprise for the purpose of furthering political or social goals wholly or in part through activities that involve force or violence and a violation of the criminal laws of the United States. The standard of 'reasonable indication' is identical to that governing the initiation of a general crimes investigation under Part II. In determining whether an investigation should be conducted, the FBI shall consider all of the circumstances including: (1) the magnitude of the threatened harm; (2) the likelihood it will occur; (3) the immediacy of the threat; and (4) the danger to privacy and free expression posed by an investigation.

"b. Authority to conduct domestic security/terrorism investigations is separate from and in addition to

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 15

general crimes investigative authority under Part II, racketeering enterprise investigations under Part III A and international terrorism investigations under the Attorney General's Guidelines for Foreign Intelligence Collection and Foreign Counterintelligence Investigations. Information warranting initiation of an investigation under this section may be obtained through the course of a general crimes inquiry or investigation, a racketeering enterprise investigation, or an investigation of international terrorism. Conversely, a domestic security/terrorism investigation may yield information warranting a general crimes inquiry or investigation, a racketeering enterprise investigation, or an investigation of international terrorism.

"c. In the absence of any information indicating planned violence by a group or enterprise, mere speculation that force or violence might occur during the course of an otherwise peaceable demonstration is not sufficient grounds for initiation of an investigation under this section. For alternative authorities see Part II relating to General Crimes Investigations and the Attorney General's Guidelines on 'Reporting on Civil Disorders and Demonstrations Involving a Federal Interest.' This does not preclude the collection of information about public demonstrations by enterprises that are under active investigation pursuant to paragraph B 1(a) above.

"2. Purpose |(See MIOG, Part I, 100-2.1.)|

"The immediate purpose of a domestic security/terrorism investigation is to obtain information concerning the nature and structure of the enterprise, as specifically delineated in paragraph (3) below, with a view to the longer range objectives of detection, prevention, and prosecution of the criminal activities of the enterprise.

"3. Scope |(See MIOG, Part I, 100-2.2.)|

"a. A domestic security/terrorism investigation initiated under these guidelines may collect such information as:

"(i) the members of the enterprise and other persons likely to be knowingly acting in furtherance of its criminal objectives, provided that the information concerns such persons' activities on behalf or in furtherance of the enterprise;

"(ii) the finances of the enterprise;

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 16

"(iii) the geographical dimensions of the enterprise; and

"(iv) past and future activities and goals of the enterprise.

"b. In obtaining the foregoing information, any lawful investigative technique may be used in accordance with requirements of Part IV.

"4. Authorization and Renewal | (See MIOG, Part I,
100-2.3.) |

"a. A domestic security/terrorism investigation may be authorized by the Director or designated Assistant Director upon a written recommendation setting forth the facts or circumstances reasonably indicating the existence of an enterprise, as described in this subsection. In such cases, the FBI shall notify the Terrorism

and Violent Crimes Section, Criminal Division, Department of Justice, of the opening of the investigation. In all investigations the Attorney General may, as he deems necessary, request the FBI to provide a report on the status of the investigation.

"b. A domestic security/terrorism investigation may be initially authorized for a period of up to 180 days. An investigation may be continued upon renewed authorization for additional periods each not to exceed 180 days. Renewal authorization shall be obtained from the Director or designated Assistant Director.

"c. Investigations shall be reviewed by the Director or designated Senior Headquarters official on or before the expiration period for which the investigation and each renewal thereof is authorized.

"d. Each investigation should be reviewed at least annually to insure that the threshold standard is satisfied and that continued allocation of investigative resources is warranted. In some cases, the enterprise may meet the threshold standard, but be temporarily inactive in the sense that it has not engaged in recent acts of violence, nor is there any immediate threat of harm -- yet the composition, goals and prior history of the group suggests the need for continuing federal interest. Under those circumstances, the investigation may be continued, but reasonable efforts should be made to limit the coverage to information which might indicate a change in the status or criminal objectives of the enterprise.

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 17

"e. An investigation which has been terminated may be reopened upon a showing of the same standard and pursuant to the same procedures as required for initiation of an investigation.

"f. The FBI shall report the progress of a domestic security/terrorism investigation to the Terrorism and Violent Crimes Section not later than 180 days after the initiation thereof, and the results at the end of each year the investigation continues. The Terrorism and Violent Crimes Section shall review the results of each investigation at least annually.

"IV. Investigative Techniques (See MIOG, Part I, 100-2.2.)

"A. When conducting investigations under these guidelines the FBI may use any lawful investigative technique. Before employing a technique, the FBI should consider whether the information could be obtained in a timely and effective way by less intrusive means. Some of the factors to be considered in judging intrusiveness are adverse consequences to an individual's privacy interests and avoidable damage to his reputation. Whether a highly intrusive technique should be used depends on the seriousness of the crime and the strength of the information indicating the existence of the crime. It is recognized that choice of technique is a matter of judgment.

"B. All requirements for use of a technique set by statute, Department regulations and policies, and Attorney General Guidelines must be complied with. The investigative techniques listed below are subject to the noted restrictions:

"1. Informants and confidential sources must be used in compliance with the Attorney General's Guidelines on the Use of Informants and Confidential Sources;

"2. Undercover operations must be conducted in compliance with the Attorney General's Guidelines on FBI Undercover Operations;

"3. Undisclosed participation in the activities of an organization by an undercover employee or cooperating private individual in a manner that may influence the exercise of rights protected by the First Amendment must be approved by FBIHQ, with notification to Department of Justice;

"4. Nonconsensual electronic surveillance must be conducted pursuant to the warrant procedures and requirements of Title

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 18

18 U.S.C. 2510-2521;

"5. Pen registers and trap and trace devices must be installed and used pursuant to the procedures and requirements of Title 18 U.S.C. 3121-3127;

"6. Access to stored wire and electronic communications and transactional records must be obtained pursuant to the procedures and requirements of Title 18 U.S.C. 2701-2710;

"7. Consensual electronic monitoring must be authorized pursuant to Department policy. For consensual monitoring of conversations other than telephone conversations, advance authorization must be obtained in accordance with established guidelines. This applies both to devices carried by the cooperating participant and to devices installed on premises under the control of the participant. See USAM 9-7.013. For consensual monitoring of telephone conversations, advance authorization must be obtained from the SAC and the appropriate United States Attorney, except in exigent circumstances;

"8. Searches and seizures must be conducted under the authority of a valid warrant unless the search or seizure comes within a judicially recognized exception to the warrant requirement. See also, Attorney General's Guidelines on Methods of Obtaining Documentary Materials Held by Third Parties; (See MIOG, Part II, Section 28.)

"9. Whenever an individual is known to be represented by counsel in a particular matter, the FBI shall follow applicable law and Department procedure concerning contact with represented individuals in the absence of prior notice to their counsel. The SAC or his designee and the United States Attorney shall consult periodically on applicable law and Department procedure.

"V. Dissemination of Information

"The FBI may disseminate information during investigations conducted pursuant to these guidelines to another Federal agency, or to a State or local criminal justice agency when such information:

"A. falls within the investigative or protective jurisdiction or litigative responsibility of the agency;

"B. may assist in preventing a crime or the use of violence or any other conduct dangerous to human life;

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 19

"C. is required to be furnished to another Federal agency by Executive Order 10450, as amended, dated April 27, 1953, or a successor Order;

"D. is required to be disseminated by statute, interagency agreement approved by the Attorney General, or Presidential Directive; and to other persons and agencies as permitted by Sections 552 and 552a of Title V, U.S.C.

"VI. Cooperation with Secret Service

"The FBI is authorized to provide investigative assistance in support of the protective responsibilities of the Secret Service, provided that all preliminary inquiries or investigations are conducted in accordance with the provisions of these guidelines.

"VII. Reservation

"A. Nothing in these guidelines shall limit the general reviews or audits of papers, files, contracts or other records in the government's possession, or the performance of similar services at the specific request of a Department or agency of the United States. Such reviews, audits or similar services must be for the purpose of detecting or preventing violations of federal law which are within the investigative responsibility of the FBI.

"B. Nothing in these guidelines is intended to limit the FBI's responsibilities to investigate certain applicants and employees under the federal personnel security program.

"C. These guidelines are set forth solely for the purpose of internal Department of Justice guidance. They are not intended to, do not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any manner, civil or criminal, nor do they place any limitation on otherwise lawful investigative and litigative prerogatives of the Department of Justice."

EFFECTIVE: 12/16/96

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 1 - 20

1-4 INFORMATION REGARDING THE EXERCISE OF FIRST AMENDMENT
RIGHTS

(1) All information received or made available to the FBI during the course of an investigation should be evaluated for its pertinence to the investigation. This is particularly true when the information concerns the exercise of an individual's or group's First Amendment rights. In such cases, the information concerning the exercise of First Amendment rights should be made a matter of record only if it is pertinent to and within the scope of an authorized law enforcement activity.

(2) When public-source printed material concerning the exercise of First Amendment rights is obtained and a decision made to retain such material, a notation must be placed on the material describing the reason(s) it was collected and retained. The notation must clearly indicate the specific investigative interest(s) which led to the decision to retain the item.

(3) Certain printed public source material may contain a characterization of a group, individual or activity. When such information is disseminated to FBIHQ, FBI field offices or outside the FBI, the transmitting communication should state that the characterization has not been made by the FBI, but by a third party. However, if the characterization comports in whole or in part with the results of independent FBI investigation, the transmitting communication may so state.

EFFECTIVE: 08/22/89

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 1

SECTION 2. FBI MANAGEMENT AND ALLOCATION PROGRAMS

2-1 NATIONAL PRIORITY PROGRAMS

EFFECTIVE: 06/26/91

2-1.1 Foreign Counterintelligence (FCI)

EFFECTIVE: 06/26/91

2-1.1.1 Definition

The FCI Program consists of the gathering of information and conducting of activities to protect against espionage and other intelligence activities, sabotage, or assassinations conducted by, for, or on behalf of foreign powers, organizations or persons, or international terrorist activities, but not including personnel, physical, document, or communications security programs.

EFFECTIVE: 06/26/91

2-1.1.2 Objective

The primary program objective is the neutralization of hostile intelligence and international terrorist activities within the United States.

EFFECTIVE: 06/26/91

2-1.2 Organized Crime

EFFECTIVE: 06/26/91

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 2

2-1.2.1 Definition

Organized Crime is defined as any group having some manner of formalized structure and whose primary objective is to obtain money through illegal activities. Such groups maintain their position through the use of violence or threat of violence, corrupt public officials, graft or extortion and generally have a significant impact on the people in their locales or region or the country as a whole.

EFFECTIVE: 06/26/91

2-1.2.2 Objective

The long-term mission of the FBI's Organized Crime Program is to eliminate the La Cosa Nostra (LCN) and other organized crime groups as significant threats to American society through sustained coordinated investigations that support successful prosecutive action. This mission encompasses use of the criminal and civil provisions of the Racketeer Influenced and Corrupt Organizations (RICO) Statute and concomitant seizure and forfeiture of assets acquired with the proceeds of crime or used in the commission of crime.

EFFECTIVE: 06/26/91

2-1.2.3 Ranking of Organized Criminal Activities

(1) LCN

(a) Labor Racketeering

(b) RICO LCN Family Enterprise activities
(predicates include generic state crimes of murder, kidnaping, gambling, arson, robbery, bribery, extortion and dealing in obscene matters or narcotics; and encompass various Federal offenses including extortion, gambling, obstruction of justice, labor racketeering, securities fraud, narcotics dealing, and unlawful currency transactions).

(c) Corruption (direct LCN involvement)

(2) Asian Organized Crime (AOC) Groups

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 3

(a) RICO enterprise activities

(b) Corruption (direct AOC involvement)

(3) Italian Organized Crime (IOC) Groups

(a) RICO enterprise activities

(b) Corruption (direct IOC involvement)

(4) Other significant organized criminal groups engaged
in organized criminal activities and having a national or
multidivisional/jurisdictional impact.

EFFECTIVE: 06/26/91

2-1.3 Drug

EFFECTIVE: 06/26/91

2-1.3.1 Definition

The Drug Program of the FBI endeavors to reduce the incidence of illegal drug trafficking and other criminal activity which drug trafficking generates, through investigations conducted on a systematic, coordinated, and sustained basis. This mission is implemented in the FBI's National Drug Strategy through a series of objectives which specifically delineate our role in drug investigations.

EFFECTIVE: 06/26/91

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 4

2-1.3.2 Objective

The primary objective of the Bureau's Drug Program is to conduct effective, coordinated investigations against major drug trafficking organizations on a nationwide basis, ultimately neutralizing networks involved in the distribution of heroin, cocaine, marijuana and dangerous drugs, and seizing their illegal profits through forfeiture proceedings.

EFFECTIVE: 06/26/91

2-1.4 Counterterrorism

EFFECTIVE: 06/26/91

2-1.4.1 Definition

The Counterterrorism Program of the FBI principally consists of two groups of investigative matters involving acts of terrorism. One group involves the investigation of terrorist individuals or groups and is preventive in nature. The other group, the reactive type, deals with the terrorist act after it takes place.

EFFECTIVE: 06/26/91

2-1.4.2 Objective

Primary objectives of this program are to detect and prevent the activities of individuals or groups who are or will be involved in acts of violence and violation of Federal laws that are terrorist in nature.

EFFECTIVE: 06/26/91

2-1.5 White-Collar Crime

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 5

EFFECTIVE: 11/20/90

2-1.5.1 Definition

These crimes are generally defined as those illegal acts characterized by deceit, concealment, violation of trust, and not dependent upon the application or threat of physical force or violence. They are committed to obtain money, property, or services; to avoid payment of money, property, or services; or to secure personal business advantage.

EFFECTIVE: 11/20/90

2-1.5.2 Objective

Our principal program objective is to detect, investigate, and provide investigative support in resolving white-collar criminal activities within the jurisdiction of the FBI.

EFFECTIVE: 11/20/90

2-1.5.3 Ranking of Activities

(1) Bank closings and bank embezzlements involving losses exceeding \$100,000.

(2) Fraud Against the Government involving federal government officials or losses exceeding \$25,000, bribery and other public corruption cases involving federal officials.

(3) State or local public corruption matters involving those officials at management or executive levels or involving systematic corruption within a state or local government agency.

(4) National and international wire and mail fraud schemes involving losses in excess of \$25,000 or ten or more victims.

(5) All other White-Collar Crime matters.

Sensitive

PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 6

EFFECTIVE: 10/01/97

||2-1.6 Violent Crimes and Major Offenders|

EFFECTIVE: 07/23/90

||2-1.6.1| Fugitive|Subprogram|

| (1) | Definition

The Fugitive|Subprogram|of the FBI includes locating and apprehending both Federal fugitives and those local fugitives for whom Federal assistance has been requested.

| (2) | Objective

The primary objective of this|subprogram|is the apprehension of violent subjects.

| (3) | Ranking of Activities

| (a) | Subjects wanted for a crime of violence against the person such as murder, manslaughter, forcible rape, robbery and aggravated assault; one convicted of such a crime within the past five years or one who has been incarcerated after conviction for a crime of violence and escapes from custody or supervision (parole, probation) prior to completion of their sentence or term of supervision.

| (b) | Subjects wanted for a crime involving the loss or destruction of property valued in excess of \$25,000, one being sought for criminal charges involving in excess of two ounces of heroin or cocaine, 1,000 pounds of marijuana or 10,000 dosage units of clandestinely manufactured dangerous or hallucinogenic drugs; one convicted of the above crimes within the past five years or one who has been incarcerated after conviction for such offenses and escapes from custody or supervision (parole, probation) prior to completion of their sentence or term of supervision.

| (c) | All others.

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 7

EFFECTIVE: 07/23/90

||2-1.6.2| Government Reservation Crimes|Subprogram|

| (1) | Definition

These crimes encompass theft or destruction of Government property and crimes on Government reservations or in Indian country. Also included are other miscellaneous crimes, such as Selective Service Act (SSA) violations, wherein the United States is or may be a party in interest.

| (2) | Objective

The|subprogram|objective is the identification, investigation and prosecution of criminals and criminal groups whose crimes are (1) directed against property owned by the United States Government, (2) committed on property where the United States Government has jurisdiction and/or (3) involve the United States Government as a party in interest.

| (3) | Ranking of Activities

| (a) | Crime on Government Reservation involving death or serious bodily injury and other personal crimes of violence, i.e., kidnaping, assault, rape, robbery, etc.

| (b) | Crime on Indian Reservation involving death or serious bodily injury and other personal crimes of violence, i.e., kidnaping, assault, rape, robbery, etc.

| (c) | Crime on Indian Reservation - embezzlement and/or fraud involving tribal funds.

| (d) | Other personal crimes on Government reservations or in Indian country.

| (e) | All other incidents of theft or destruction of Government property.

| (f) | All property crimes on Government reservations or in Indian country.

| (g) | All other miscellaneous crimes wherein the

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 8

United States Government is or may be a party in interest.

EFFECTIVE: 07/23/90

| 2-1.6.3 | Interstate Theft | Subprogram |

| (1) | Definition

The Interstate Theft | Subprogram | of the FBI consists principally of Thefts from Interstate Shipments, Interstate Transportation of Stolen Property, the Interstate Transportation of Stolen Motor Vehicles, the Destruction of Aircraft or Motor Vehicles and Interstate Transportation in Aid of Racketeering - Arson (non-LCN).

| (2) | Objective

The primary objective of the Interstate Theft | Subprogram | is the identification and resolution of property crimes within the jurisdiction of the FBI, particularly those of a patterned, commercialized, or major nature; and the neutralization of active criminals and organized crime groups.

| (3) | Ranking of Activities

The below violations are not ranked in order of importance. A successful program depends on the field offices identifying, in their territories, those major problem areas in property crimes wherein FBI attention can best produce significant results and impact on the problem.

| (a) | Theft From Interstate Shipment

- | 1. | Full Trailer/Container - Hijacking
- | 2. | Full Trailer/Container - Other
- | 3. | Less Than Trailer/Container (Package) -
Air-Rail-Sea-Truck

| (b) | Interstate Transportation of Stolen Motor
Vehicle - Commercialized Theft

| (c) | Interstate Transportation of Stolen Property

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 9

- | Industrial Espionage
 - | 1. | Commercial/Institutional/Heavy Equipment,
 - | 2. | Personal/Residential/Hotel-Motel/Auto
 - | (d) | Destruction of Aircraft or Motor Vehicles
 - | (e) | Interstate Transportation in Aid of Racketeering
- Arson (non-LCN)

EFFECTIVE: 07/23/90

2-1.6.4 Violent Crimes Subprogram (See MIOG, Part I, 7-19, 91-33, 184-10, 192-22, 252-13, 256-10, 272-6.2; MAOP, Part II, 3-1.1, 3-1.2; Correspondence Guide-Field, 1-17.)

(1) Definition

The Violent Crimes Subprogram of the FBI principally consists of a group of reactive investigative matters involving the common characteristic of threatened or actual personal injury or loss of human life.

(2) Objective

Our primary objective in this subprogram is to produce the necessary immediate response to prevent personal injury, and secondarily to resolve those matters where the violation is an accomplished fact.

(3) Ranking of Activities

The response to each violation should adhere to the existing MIOG instructions for each classification. Set forth below is the composition of the Violent Crimes Subprogram by classification, subclassification, and character:

- (a) 7A - Kidnapping
- 7B - Kidnapping - International Parental Kidnaping Crime Act (IPKCA)
- (b) 9A - Extortion - All aggravated and/or specific threats or demands involving

Sensitive

PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 10

domestic and foreign mail and interstate communications.

9B - Extortion - All others, including nonaggravated and/or nonspecific mail and telephone threats.

9C - Extortion - Interstate Domestic Violence

9D - Extortion - Interstate Violation of a Protection Order

(c) 31B - White Slave Traffic Act - Non-LCN

31C - White Slave Traffic Act - Sexual Exploitation of Children

31D - White Slave Traffic Act - All other cases

(d) 56A - Election Laws - Threats against or personal injury to named persons, federal, state or local level - Violation of Title 18, USC, Section 245 (b) (1) (A)

(e) 89A - Assassinating, Kidnapping or Assaulting a Member of Congress

89B - Assaulting, Killing or Attempting to Kill a Federal Officer

89C - Assassinating, Kidnapping or Assaulting an Executive Department Head or Director, CIA

89D - Assassinating, Kidnapping or Assaulting a Supreme Court Justice

89E - Conspiracy to Impede or Injure an Officer

89F - Crimes Against Family Members of Federal Officials

(f) 91A - Bank Robbery

91B - Bank Burglary, Larceny, \$10,000 or more

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 11

- 91C - Bank Burglary, Larceny, under \$10,000
- 91D - Bank Robbery, Burglary, Larceny Suspect Program
- 91E - Bank Robbery Clinics, Conferences and Seminars
- 91F - Bank Extortion
- (g) 145B - Interstate Transportation of Obscene Matter - Non-LCN
- 145C - Interstate Transportation of Obscene Matter - Sexual Exploitation of Children
- 145D - Interstate Transportation of Obscene Matter - All other cases
- (h) 164A - Crime Aboard Aircraft - Confirmed aircraft hijacking
- 164B - Crime Aboard Aircraft - Interference and Threats
- 164C - Crime Aboard Aircraft - All others
- (i) 166C - Interstate Transportation in Aid of Racketeering (Murder for Hire) - Other than organized crime
- 166E - Interstate Transportation in Aid of Racketeering (Violent Crimes/Street Gangs)- Other than organized crime
- (j) 175A - Assassinating, Kidnapping or Assaulting the President or Vice President
- 175B - Assassinating, Kidnapping or Assaulting a Presidential or Vice Presidential Staff Member
- 175C - Threats Against the President, Protection of the President
- (k) 178 - Interstate Obscene or Harassing Telephone

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 12

Calls

- (l) Deleted
- (m) 184A - Police Killings - Investigation Requested
184B - Police Killings - Other
- (n) 192B - Hobbs Act - Commercial Institutions
192C - Hobbs Act - Armored Carriers
- (o) 244 - Hostage Rescue Team
- (p) 250 - Tampering with Consumer Products
- (q) 251A - Controlled Substances - Robbery
251B - Controlled Substances - Burglary
- (r) 252A - National Center for the Analysis of
Violent Crime/Violent Criminal
Apprehension Program
252B - National Center for the Analysis of
Violent Crime/Criminal Investigative
Analysis Program
252C - National Center for the Analysis of
Violent Crime/Research and Development
Program
252D - National Center for the Analysis of
Violent Crime/Training Program
252E - National Center for the Analysis of
Violent Crime/Arson and Bombing
Investigative Services Program
252F - National Center for the Analysis of
Violent Crime/Crisis Management Program
- (s) 256C - Hostage Taking - Nonterrorism Related
(See MIOG, Part I, Section 256; MAOP,
Part II, 3-1.1, 3-1.2.)

Sensitive

PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 13

(t) 272C - Money Laundering - Violent Crimes/Major
Offenders Program

EFFECTIVE: 11/25/96

2-1.6.5 Violent Crimes and Major Offenders/Organized Crime Drug
Enforcement Task Force Subprogram

(1) Definition

The Violent Crimes and Major Offenders/Organized
Crime Drug Enforcement Task Force Subprogram of the FBI principally
consists of a group of investigative matters involving street/drug
gangs that use violence in furtherance of their drug enterprise.

(2) Objective

Our primary objective in this subprogram is the
elimination of these violent drug/street gangs through the use of the
task force concept and aggressive Federal prosecution.

(3) Ranking of Activities - (Also refer to "All SACs
airtel, "National Strategy" dated 11/16/93).

(a) 92D* - Racketeering Enterprise
Investigations (REI) - Gangs

(b) 245D* - Organized Crime Drug Enforcement
(OCDE) Task Force - Gangs

EFFECTIVE: 02/16/94

2-2 OTHER PROGRAMS

EFFECTIVE: 07/23/90

Sensitive
PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 14

2-2.1 Deleted

EFFECTIVE: 07/23/90

2-2.1.1 Deleted

EFFECTIVE: 07/23/90

2-2.1.2 Deleted

EFFECTIVE: 07/23/90

2-2.1.3 Deleted

EFFECTIVE: 07/23/90

2-2.2 Applicant Investigations - Reimbursable and
Nonreimbursable

EFFECTIVE: 07/23/90

2-2.2.1 Definition

The Applicant Program of the FBI consists of those investigations of a background nature conducted pursuant to statute, Executive order, or other governmental requests designed primarily to develop necessary information regarding an individual's character, reputation, associates, loyalty, and qualifications.

EFFECTIVE: 07/21/95

Sensitive
PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 15

2-2.2.2 Objective

The primary objective of this program is to select those individuals best qualified for FBI employment and conduct thorough, penetrative background investigations to ensure maintenance of the highest professional standards. In our efforts on behalf of other agencies, this program has as its goal the expeditious and careful development of all necessary background data to support agency decisions with respect to employment, appointment, clearance, etc.

EFFECTIVE: 07/23/90

2-2.2.3 Ranking of Activities

Due to the nature of this program, individual classifications are not ranked in priorities but cases are responded to on an individual basis.

- (1) United States Courts Applicants - Reimbursable
- (2) Departmental Applicants - Nonreimbursable
- (3) |Deleted|
- (4) Department of Energy - Reimbursable
- (5) Nuclear Regulatory Commission - Reimbursable
- (6) |Deleted|
- (7) Security of Government Employees - Reimbursable
- (8) Security of Government Employees - Nonreimbursable
- (9) |Deleted|
- (10) Special Inquiry - Reimbursable
- (11) Special Inquiry - Nonreimbursable
- (12) Bureau Applicants - Special Agent
- (13) Bureau Applicants - Support Personnel

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 16

(14) Applications for Pardon After Completion of Sentence
- Non-reimbursable

(15) |Deleted|

(16) Drug Enforcement Administration - Reimbursable

EFFECTIVE: 07/23/90

2-2.3 Civil Rights

EFFECTIVE: 07/23/90

2-2.3.1 Definition

The Civil Rights Program of the FBI generally addresses those investigative matters which involve the actual or attempted abridgment of rights provided to the citizens and inhabitants of the United States under the Constitution or laws of the country.

EFFECTIVE: 07/23/90

• 2-2.3.2 Objective

It is the primary objective of this program to enhance and protect those rights through expeditious and thorough attention to matters within our investigative jurisdiction.

EFFECTIVE: 07/23/90

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 17

2-2.3.3 Ranking of Activities

Because of the responsive nature of this program, the individual classifications are not ranked in priorities, but violations are responded to as the circumstances demand.

- (1) Civil Rights
- (2) Civil Rights - Voting Laws
- (3) Involuntary Servitude and Slavery
- (4) Civil Rights Act of 1964 - Criminal Interference
- (5) Civil Rights Act of 1964 - Civil Discrimination
- (6) Discrimination in Housing - Criminal Interference
- (7) Discrimination in Housing - All Other
- (8) Deleted
- (9) Equal Credit Opportunity Act
- (10) Federal Revenue Sharing
- (11) Civil Rights of Institutionalized Persons Act

EFFECTIVE: 07/23/90

2-2.4 FBI Security Program

EFFECTIVE: 07/23/90

2-2.4.1 Definition

The Security Program of the FBI consists of six operational program activities known as Industrial Security, Security Clearance Investigations, Personnel Security, Information Security, Physical Security, and Sensitive Compartmented Information/Special Access Program.

Sensitive
PRINTED: 02/18/98

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 18

EFFECTIVE: 07/23/90

2-2.4.2 Objective

The primary objective of this program is the protection of National Security Information (NSI) through the management of its six operational activities.

EFFECTIVE: 07/23/90

2-2.4.3 Ranking of Activities

The following activities are not ranked in any order of importance, but are equally significant to the functioning of the Security Program of the FBI.

(1) Personnel Security - Adjudications of FBI applicants and employees for access to NSI, as well as personnel security countermeasures.

(a) Adjudications - trustworthiness determinations made by the Security Programs Manager (SPM) pursuant to the provisions of Executive Order 10450.

(b) Countermeasures - proactive and preventive personnel security subprograms:

1. Marriage Subprogram - requires that employees notify the SPM of intended spouse's identity 60 days in advance of marriage.

2. Foreign Travel Subprogram - requires employees notify the SPM of all intended foreign travel 30 days in advance.

3. Five-Year Reinvestigation Subprogram - requires employees submit to a full-field reinvestigation at least once every five years. This reinvestigation includes the interviews of supervisors, co-workers, neighbors, references, associates, and roommates and verification of education, military service, and court actions. Also, criminal and indices searches are conducted on the employee and all individuals over the age of 16 residing with the

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 19

employee. Adjudication of this reinvestigation determines the trustworthiness of an employee in accessing national security information. (See MIOG, Part I, 67-18, 67-18.1.1; MAOP, Part I, 20-26.)

4. Foreign Contact Subprogram - requires employees to notify the SPM in writing of all significant contact with non-U.S. citizens.

5. Outside Employment Subprogram - requires employees to notify the SPM of intended outside employment 30 days in advance.

6. Roommates Subprogram - requires employees to notify the SPM of all individuals (non-Bureau/nonmembers of the immediate family) with whom an employee resides or intends to reside with for a period of 30 days or more.

(2) Information Security - protection of NSI through security awareness programs; countermeasures for safeguarding hard-copy and electronic media information; conducting damage assessments for compromised NSI.

(3) Physical Security - ensures safety of FBI personnel and protection of NSI by preventing penetration of FBI facilities by hostile and/or unauthorized individuals, groups, or organizations.

(4) Sensitive Compartmented Information/Sensitive Accesses - ensures the continued protection of information obtained from extraordinarily sensitive sources through an access adjudication and briefing process developed by the Director of Central Intelligence, but administered by the SPM.

(5) Industrial Security

(a) Personnel Clearance Investigations - determines contractor trustworthiness for access to NSI.

(b) Facility Clearance Investigations - site inspections of contractor facilities to ensure ability to handle and safeguard NSI.

(c) Nonclassified Personnel/Access - approval of contract or non-FBI personnel access to FBI facilities to perform a contract or service not requiring exposure to NSI.

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 20

(6) Security Clearance Investigations

(a) Classified Information Procedures Act (CIPA) - pursuant to requests from the Department of Justice (DOJ) Security Officer, security clearance investigations are conducted on U.S. District Court personnel, defense counsel and staff, as well as special prosecutors and staff, and in any case where classified information may be accessed by persons outside the Executive Branch, as a result of criminal or civil law violation investigations.

(b) Foreign Intelligence Surveillance Act (FISA) - requires security clearance investigations be conducted for issuance of clearance by DOJ to telecommunications personnel involved in installation or continuation of FISA court orders.

(c) Joint Task Forces - security clearance investigations for state or local law enforcement officers involved in joint investigative efforts with FBI personnel where classified information, sensitive operations, or sensitive locations are accessed by these persons.

(d) Other - security clearance investigations of persons outside the Executive Branch to whom classified information originated by, or in the possession of, the FBI will be released.

EFFECTIVE: 04/10/96

||2-2.5 Deleted - see 2-1.6.1|

EFFECTIVE: 07/23/90

||2-2.5.1 Deleted - see 2-1.6.1.|

EFFECTIVE: 07/23/90

||2-2.5.2 Deleted - see 2-1.6.1.|

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 21

EFFECTIVE: 07/23/90

|| 2-2.5.3 Deleted - see 2-1.6.1. |

EFFECTIVE: 07/23/90

|| 2-2.6 Deleted - see 2-1.6.2 |

EFFECTIVE: 07/23/90

|| 2-2.6.1 Deleted - see 2-1.6.2. |

EFFECTIVE: 07/23/90

|| 2-2.6.2 Deleted - see 2-1.6.2. |

EFFECTIVE: 07/23/90

|| 2-2.6.3 Deleted - see 2-1.6.2. |

EFFECTIVE: 07/23/90

|| 2-2.7 Deleted - see 2-1.6.3 |

EFFECTIVE: 07/23/90

|| 2-2.7.1 Deleted - see 2-1.6.3 |

EFFECTIVE: 07/23/90

Sensitive

Manual of Investigative Operations and Guidelines
Introduction

PAGE 2 - 22

||2-2.7.2 Deleted - see 2-1.6.3|

EFFECTIVE: 07/23/90

||2-2.7.3 Deleted - see 2-1.6.3|

EFFECTIVE: 07/23/90

||2-2.8 Deleted - see 2-1.6.4|

EFFECTIVE: 07/23/90

||2-2.8.1 Deleted - see 2-1.6.4|

EFFECTIVE: 07/23/90

||2-2.8.2 Deleted - see 2-1.6.4|

EFFECTIVE: 07/23/90

||2-2.8.3 Deleted - see 2-1.6.4|

EFFECTIVE: 07/23/90